

(Approved Minutes)

**TOWN OF ROCKY HILL
CHARTER REVISION COMMISSION
MEETING OF JUNE 18, 2015**

I. CALL TO ORDER

Chairman Jim Tallberg called the Thursday, June 18, 2015 meeting to order at 6:00 p.m. in the Elevator Meeting Room of the Rocky Hill Town Hall, 761 Old Main Street, Rocky Hill, Connecticut.

Present: Jim Tallberg, Chairman
Phil Benoit, Vice Chairman
Rocco Sanzo, Commissioner
Neil Geldof, Commissioner
Frank Simboski, Commissioner
Jeffrey Thomen, Commissioner

Also: Guy Scaife, Town Manager
Eileen Knapp, Recording Secretary (Arrived at 6:40 p.m.)

II. PUBLIC COMMENT

No public comment.

III. APPROVAL OF MINUTES

A. Meeting of 6/2/15

A MOTION was made by Rocco Sanzo to approve the Minutes of June 2, 2015 with corrections. Motion was seconded by Commissioner Benoit. All were in favor, MOTION CARRIED UNANIMOUSLY.

B. Meeting of 6/11/15

A MOTION was made by Rocco Sanzo to approve the Minutes of June 11, 2015 with corrections. Motion was seconded by Commissioner Benoit. All were in favor, MOTION CARRIED UNANIMOUSLY.

V. DISCUSSION AND POSSIBLE ACTION on Proposed Charter Revisions

Section 412 Section A and 601: Inconsistencies: The Commission had discussed making the Town Clerk position an appointment by the Town Manager, therefore the removal of the Town Clerk would also be the Town Manager's responsibility. Section 601 states that the Town Clerk can be removed by the Town Council with 6 affirmative votes.

A MOTION was made by Commissioner Sanzo to change Section 601 to read as follows, "The Town Clerk shall be appointed by the Town Manager for an indefinite term.", striking out the entire second part of the sentence reading "and may be removed by only six (6) affirmative votes of the membership of the Council." Motion was seconded by Commissioner Simboski. There was a discussion about making further revisions to the entire paragraph.

Commissioner Sanzo made a FRIENDLY AMENDMENT to change the paragraph to read as follows:

The Town Clerk shall be appointed by the Town Council for an indefinite term and may be removed only by the Town Manager. In addition to the powers and duties prescribed for Town Clerks by the Connecticut General Statutes, Town Clerk may act as the clerk of the Council, keep a journal of its proceedings, which shall be a public record, and perform such other duties as may be assigned to the Town Clerk by this Charter or by the Town Manager. The Town Clerk shall have such deputy clerks, clerks and other assistants as the Town Manager may determine. The Town Clerk shall have such other powers and duties as are prescribed in this Charter or by the Town Manager. The Town Clerk shall receive such compensation as the Town Manager may determine. All fees collected by the Town Clerk, except those collected on behalf of the State, shall be paid into the Town Treasury.

Friendly Amendment was accepted.

All were in favor, MOTION CARRIED UNANIMOUSLY.

Discussion of the Position of Town Clerk: At the public hearing many members of the public had comments relating to the position of the Town Clerk, requesting that this position remain under the authority of the Town Council. Commission Sanzo said he preferred consistency and all other positions are under the authority of the Town Manger; therefore this shouldn't be any different. Commissioner Benoit said he would still like to maintain the wording in the Charter, which gives the Town Council approval over the position of Town Clerk. Commissioner Sanzo felt that if the Town Council has approval for this position, it could become political at any time. Commissioner Benoit said he felt like the public was saying that the Council should be more involved.

A MOTION was made by Vice Chairman Benoit to amend the original recommendation 15 with regard to Section 601 adding language saying that the Town Clerk shall be appointed by the Town Manager “*subject to the approval of the Town Council*”. Motion was seconded by Commissioner Thomen. 2 were in favor (Benoit, Thomen), four opposed (Tallberg, Sanzo, Simboski, Geldof), MOTION FAILED.

Town Manager Scaife pointed out that the Town Clerk position is tightly regulated by Statutes and there really isn't a lot of decision making going on.

Next the Commission discussed the recommendations made in the June 11th memo from Town Manager Scaife.

Section 607 Economic Development Commission: The suggestion was to replace current language regarding Commissioner's terms in order to be consistent with CGS 7.136.

A MOTION was made by Commissioner Simboski to replace the language in Section 607 as stated in the June 11th, Town Manager Recommendations memo. Motion was seconded by Commissioner Geldof. All were in favor, MOTION CARRIED UNANIMOUSLY.

Section 607 Planning and Zoning Commission: The suggestion was also to replace current language regarding Commissioner's terms in order to be consistent with CGS 7.136. It appears that the State Statutes require a staggered term for Commissioners, every 3 years.

Commissioner Simboski said there is a sentence in the original Section 608 stating that all members shall serve without compensation and he is concerned that this is not included in the updated section.

A MOTION was made by Commissioner Simboski to accept the changed recommended the Town Manger's memo of June 11th regarding Sections 607 and 608, but adding at the end of both sections, “All members shall serve without compensation.” Motion was seconded by Commissioner Geldof. The MOTION AND SECOND WERE WITHDRAWN.

There was a discussion of whether or not this CGS section applied to Planning and Zoning Commissions. Commissioner Geldof pointed out that the current language has been working and there really isn't a need to change it. The Commission agreed that this section of the Statutes was not applicable and decided to rescind the previous motion.

A MOTION was made by Commissioner Simboski to rescind the unanimous decision on Section 607. Motion was seconded by Commissioner Geldof. All were in favor, MOTION CARRIED UNANIMOUSLY.

The Commission agreed to leave Sections 607 and 608 alone.

Section 701 Department of Finance:

A MOTION was made by Commissioner Sanzo to approve the Town Manager's proposed language for Section 701 as presented in the June 11th memo. MOTION was seconded by

Vice Chairman Benoit. Town Manager Scaife said the reason he is proposing this change is because the original section includes organizational and managerial information that is not appropriate for a Town Charter. Some other changes he is suggesting are because this Section did not reflect what was actually happening or because the things were not working the way they were supposed to. There was a discussion of the changes being proposed. All references to duties of the Tax Collector and Assessor as these positions are regulated by State Statute. Town Manager Scaife said another change they are suggesting is the requirement that the Tax Collector be a resident of the Town. Commissioner Simboski thought there was still a need to have a section for the Tax Collector, Assessor and Purchasing Agent. **All were in favor, MOTION CARRIED UNANIMOUSLY.**

A MOTION was made by Commissioner Sanzo amend Section 702 to include the positions of Tax Collector, Assessor and Purchasing Agent in the title and to include at the end of that section, the language in the existing Section 701 starting from the sentence that begins “Except as otherwise provided by this Charter”, through the end of the paragraph. Motion was seconded by Vice Chairman Benoit.

A FRIENDLY AMENDMENT was made by Commissioner Sanzo to eliminate references to Town Council approval in the added paragraph. Friendly Amendment was accepted.

A FRIENDLY AMENDMENT was made by Commissioner Sanzo to strike the last two lines of Section 702 that begins with, “The deputy of the Treasurer authorized to sign checks...” Friendly Amendment was accepted.

All were in favor, MOTION CARRIED UNANIMOUSLY.

Chapter 7 Add Department of Community Development:

A MOTION was made by Vice Chairman Benoit to accept the Staff recommended changes from the Town Manager’s memo of June 11th, changing the first line to read, “There shall be a Director of Community Development...” and to insert this section after the Department of Public works in the Charter and to eliminate the Section 703 D, Division of Building Inspector. MOTION was seconded by Commissioner Geldof. All were in favor, MOTION CARRIED UNANIMOUSLY.

Section 809 Transfer of Appropriations: Town Manager Scaife is asking that they be allowed to transfer funds within the last 7 months of the fiscal year with the approval of the Town Council by resolution. Commissioner Benoit was not in favor of this change. Town Manager Scaife said this is to allow the Town Council to move the money, usually only from the Contingency Fund to allow for unexpected items like union wages for contracts that came in late, overtime for snow removal and unexpected retirements. This will prevent having to constantly explain why it appears that departmental budgets have been exceeded. This is not so money can be taken from one department and spent in another. Commissioner Sanzo felt comfortable with this change because the Town Manager must to get the approval of the Town Council by a resolution. The Town Manager said budgets are put together in March or April and they don’t start until July. By December there can be unexpected changes.

A MOTION was made by Commissioner Geldof to accept the Staff's recommendation on Section 809, Transfer of Appropriations, allowing transfers within the last 7 months of the fiscal year. Motion was seconded by Commissioner Sanzo. 5 were in favor (Tallberg, Sanzo, Thomen, Geldof, Simboski), one opposed (Benoit).

Section 203 B - Board of Tax Review: Staff is suggesting that the name be changed to the Board of Assessment Appeals.

A MOTION was made by Commissioner Sanzo to change the name to the Board of Assessment Appeals instead of the Board of Tax Review and change all references to the same. Motion was seconded by Commissioner Geldof. All were in favor, MOTION CARRIED UNANIMOUSLY.

Section 203A - Board of Education:

A MOTION was made by Commissioner Sanzo to change the term of the Board of Ed members back to a 2 year term from the proposed 4 year term. Motion was seconded by Commissioner Geldof. The Commissioner agreed with the comments that were made by the public about not changing the term to four years. All were in favor, MOTION CARRIED UNANIMOUSLY.

There was a lengthy discussion about the change the Commission recommended to the Town Council election process. The idea behind this change was to create a Council, which included 5 members of the majority party and 4 members of the minority party. The Commission discussed how this change would affect the election process in that only 10 people would be running for Town Council, five from each party, and 9 would be elected.

(Town Manager Scaife and Commissioner Geldof leave the meeting at 8:07 p.m.)

The Commission discussed how they could change the wording so that each party puts up 6 nominees and only 9 members would be voted in. There were problems with making this work because of requirement of State Law on minority representation. After a lengthy discussion the Commission decided to leave the language as is in their proposal, with the hope that this would satisfy those members of the public who are concerned about the politics on the Council.

VII. ADJOURNMENT

A MOTION was made by Commissioner Thomen to adjourn the meeting at 8:17 p.m. Motion seconded by Commissioner Sanzo. All were in favor, MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Eileen A. Knapp
Recording Secretary